

REMARKS/ARGUMENTS

Claims 1-19 have been rejected as being anticipated by Berger. Claim 1 is amended and claims 2-19 are canceled. Reconsideration is respectfully requested.

Amended claim 1 specifies that one of the wiper arms (18) is directly coupled with a driven shaft (16), that the electromotive drive (10) includes a uniformly transmitting gear (14) coupled to a driving motor (12), wherein the uniformly transmitting gear (14) includes the driven shaft (16), that an electric driving motor (12) of the drive (10) features rotational direction reversal, that a reversal of the rotational direction of the electromotive drive (10) is provided for at each end of travel of the wiper arms (18, 20), that the electromotive drive (10) features a sensory mechanism to detect the end of travel, that the electromotive drive (10) features a speed control, that the speed control always provides for a reduction in the rotational speed of the drive (10) near the ends of travel of the wiper arms (18, 20), that at least two wiper arms (18, 20) are coupled via a crank and rocker linkage (30), that both of the wiper arms (18, 20) feature a path of motion in the same direction, and that at least two wiper arms (18, 20) feature an approximately parallel path of motion.

A benefit of the claimed arrangement is that it makes it possible to dispense with one intermediate gear since one of the wiper arms is directly driven, i.e., without a non-uniformly transmitting intermediate gear arranged in-between. This construction is not suggested by Berger.

Berger teaches (see col. 7, lines 39-41) that both wiper arms 8 are connected to a linkage 7 that is connected to a gear 6 that is driven by a motor 5. The motor 5 and the gear 6 would be considered to be the electromotive drive, but neither wiper arm 8 is directly coupled with a driven shaft of the electromotive drive. Instead, both wiper arms are connected to the electromotive drive via the linkage 7. Berger explicitly states that "wiper arms 8 are fastened to the wiper linkage 7" (see col. 7, lines 39-41). Thus, Berger fails to teach or suggest each element of claim 1, namely, "wherein one of the wiper arms (18) is directly coupled with a driven shaft (16) of an electromotive drive (10)."

In the Office action, the Examiner states that "Berger et al show in figure 1 that one of the wiper arms 8 is connected to a driven shaft of gear 6 coupled to an electric driving motor M5."

Applicant respectfully traverses this characterization of the Berger reference. According to Berger, "Fig. 1 is a schematic representation of an embodiment of the present invention" (see col. 6, lines 51-52). Thus, the gear 6 is illustrated schematically in Fig. 1 as a circle, in which the circle is merely a representation of a generic gear. Nowhere in Fig. 1 does Berger illustrate the structure of the gear 6 or that the gear 6 is or includes the structure of a driven shaft.

Furthermore, throughout the specification, Berger merely describes the gear 6 as a "gear", without further describing the specific function or structure of the gear 6. Thus, Berger does not imply that the gear 6 includes a driven shaft, that a driven shaft of the gear 6 (if present) extends longitudinally along a shaft axis, nor that such an axis would be co-axial with a pivoting axis of a directly coupled wiper arm. Thus, Berger fails to teach or suggest each element of claim 1.

Furthermore, there is no suggestion in Berger or any of the other cited references to modify the Berger construction to connect one of the wiper arms 8 directly to the gear 6, or to a driven shaft of the gear 6.

Berger also fails to teach or suggest additional patentable elements found in claim 1. Therefore, claim 1 and associated dependent claims 2-19 are allowable.

In the Office action, the Examiner states that "with respect to claim 2, Berger et al show in figure 1 a uniformly transmitting gear G6." Applicant respectfully traverses this characterization of the Berger reference as regards amended claim 1, which includes the features of canceled dependent claim 2. According to Berger, "Fig. 1 is a schematic representation of an embodiment of the present invention" (see col. 6, lines 51-52). Thus, the gear 6 is illustrated schematically in Fig. 1 as a circle, in which the circle is merely a representation of a generic gear. Nowhere in Fig. 1 does Berger illustrate the structure of the gear 6 or that the gear 6 is a uniformly transmitting gear. Furthermore, throughout the specification, Berger merely describes the gear 6 as a "gear", without further describing the specific function or structure of the gear 6. Thus, the specification does not imply that the gear 6 is a uniformly transmitting gear. Thus, Berger fails to teach or suggest each element of claim 1.

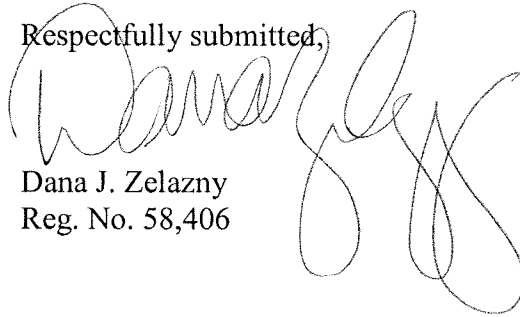
The Examiner also listed several patent/publication numbers purported to show that "a direct drive wiper system is notorious old in the art" and that claims 1-19 are not patentable over Berger et al and the patent/publication numbers listed. However, the Examiner has failed to comment on how each of the listed patents/publication relates specifically to the pending claims, or whether the patent/publication numbers listed form part of a formal rejection, and if so, what

type of rejection. For this reason, the Applicant assumes that the only rejection of claims 1-19 is the §102 rejection over Berger summarized on pages 2-3. If the claims are being rejected over some or all of the patents/publications listed on page 5 of the Office action, the Applicant respectfully requests that the Examiner issue an appropriate §102 and/or §103 rejection, and also point out where each reference teaches the elements of the pending claims.

In view of the foregoing, entry of the above amendment and allowance of claim 1 is respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Dana J. Zelazny', is written over the typed name and registration number.

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